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Docket No. END-777

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Seth A. Foerster et al.
Serial No. : 09/954,646 Art Unit: 3764
Filed : September 18, 2003 Examiner: Benjamin Koo
For : METHOD AND DEVICES FOR DEFINING AND MARKING TISSUE
Assistant Commissioner for Patents
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231 on February 13, 2003

Gerry Gressel

Name of person signing the Certificate


(Signature)

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TECHNOLOGY CENTER R3700

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. This Information Disclosure Statement is being filed with a Request for Continued Examination (RCE).

[X] Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

[] Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

[] Copies of references listed on the attached PTO Form 1449 were previously cited by or submitted to the Patent and Trademark Office in prior application.

[] In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

[] If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

[X] There are no listed references which are not in the English language.

[] The relevance of those listed references which are not in the English language is as follows:

[] Attached are copies of search report(s) from corresponding patent application(s).

[] Attached are the following non-published pending patent applications which may be deemed relevant.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/END-777/GSG. This form is submitted in triplicate.

Respectfully submitted,



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